



Patent  
674523-2013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Aebischer, *et al.*  
U.S. Serial No. : 10/008,610  
Filing Date : November 8, 2001  
For : LENTIVIRAL-MEDIATED GROWTH FACTOR GENE  
THERAPY FOR NEURODEGENERATIVE DISEASES  
Examiner : David Guzo  
Art Unit : 1636

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New York, NY 10151

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Date of Deposit: December 22, 2003

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**PETITION UNDER 37 CFR §1.84**  
**REQUESTING ACCEPTANCE OF COLOR PHOTOGRAPHS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in further response to the Office Action mailed on August 26, 2003, setting a three-month term for reply. This petition is being filed in conjunction with an Amendment and Response to the Office Action and a Petition for Extension of Time.

Applicants request that color photographs be permitted in this application, as they are the only practical medium by which to disclose the subject matter of the invention. The invention involves the treatment of Parkinson's disease using gene therapy. The success of the treatment is measured both behaviorally and physiologically. Changes in gene expression and its effects on neural structure are assessed using histological staining of brain tissue, which requires color

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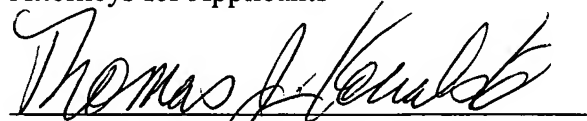
photographs. The results of the experiments performed in reducing the instant invention to practice are shown, *inter alia*, in Figures 1-3, 6, 8 and 9.

Enclosed are the fee of \$130.00 set forth in §1.17(h) and three sets of color photographs. A proposed amendment to insert the required language is included with the Amendment and Response to Office Action filed herewith. Any additional fee occasioned by this paper or any overpayment of fees may be charged or refunded to Deposit Account No. 50-0320.

Respectfully submitted,

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